

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUL 20 2004

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

IN RE RIVER PARK SQUARE
PROJECT BOND LITIGATION.

NO. CS-01-0127-EFS

ORDER GRANTING BOND FUND
PLAINTIFF'S MOTION FOR ORDER
OF DISMISSAL

This matter came before the Court on Plaintiffs Nuveen Quality Income Municipal Fund, Inc., Nuveen Premium Income Municipal Fund 4, Inc., Smith Barney Municipal Fund Limited Term, Smith Barney Municipal High-Income Fund, and Vanguard High-Yield Tax Exempt Funds' Motion for Order of Dismissal pursuant to Fed. R. Civ. P. 41(a)(2), (Ct. Rec. 1894). The Court considered the Bond Funds' motion and Prudential's Response to Plaintiffs' Motions and Orders of Dismissal. Accordingly,

IT IS HEREBY ORDERED:

1. Plaintiff's Motion for Order of Dismissal (**Ct. Rec. 1894**) is **GRANTED**. All claims asserted by plaintiffs Nuveen Quality Income Municipal Fund, Inc., Nuveen Premium Income Municipal Fund 4, Inc., Smith Barney Municipal Fund Limited Term, Smith Barney Municipal High-Income Fund, and Vanguard High-Yield Tax Exempt Fund against defendants Prudential Equity Group, LLC, the Spokane Downtown Foundation, Preston Gates & Ellis, LLP, Citizens Realty Company,


1 Lincoln Investment Company of Spokane, River Park Square, LLC, RPS II,
2 LLC, RWR Management, Inc., d/b/a R.W. Robideaux and Co., City of
3 Spokane, and the Spokane Parking Public Development Authority, are, as
4 a result of the release of such claims procured by the city of
5 Spokane, hereby dismissed with prejudice pursuant to Fed. R. Civ. P.
6 41(a)(2).

7 2. The effect of this dismissal is the subject of disagreement
8 among the parties and remains to be determined through motion
9 practice. However, rulings and orders of the Court that preceded this
10 Order of Dismissal are not extinguished by the entry of it unless the
11 Court rules otherwise upon motion of any party.

12 **IT IS SO ORDERED.**

13 The District Court Executive is directed to enter this Order and
14 to furnish copies to all counsel.

15 **DATED** this 20th day of July 2004.

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19 EDWARD F. SHEA
20 United States District Judge

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